

REMARKS

In response to the Final Office Action dated June 1, 2006, Applicant respectfully submits the enclosed new claims, claim amendments, and remarks as a proper submission to accompany a request for continued examination along with the appropriate fee. Applicant has amended independent Claim 1 and added new claims 31-32. No new matter is added with these amendments and newly added claims. Therefore, upon entry of this amendment, Claims 1-16 and 31-32 are pending, while claims 17-30 were withdrawn from consideration. Reconsideration and reexamination of the pending claims is respectfully requested.

Claim 1 was amended to correct a typographical error and to recite "a spacer disposed on an overlapped area between the color filter and an adjacent color filter, the spacer having a same material as the color filter" which is supported by the application as filed (Specification page 8 line 23 to page 9 line 23, corresponding to paragraphs [0065]-[0067], FIGS. 3-5, FIGS. 19-22 and elsewhere). The ABSTRACT was amended to correspond with the amended independent Claim 1. No new matter is introduced in these amendments.

Claims 1-3, 5, 7, and 9 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,757,451 to *Miyazaki et al.* (hereinafter *Miyazaki*).

Independent Claim 1 is amended to recite "a spacer disposed on an overlapped area between the color filter and an adjacent color filter, the spacer having a same material as the color filter" which is neither taught nor suggested by *Miyazaki*. Instead, while *Miyazaki* teaches a stacking of different color layers, *Miyazaki* nowhere teaches a spacer disposed on an overlapped area between adjacent color filters (*Miyazaki* col. 6

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lines 32-58, col. 9 line 19 to col. 10 line 19, FIG. 2, FIG. 4A-6E). Since not all of the claimed elements are taught by *Miyazaki*, Applicant submits that Claim 1 is not anticipated by *Miyazaki* and that the dependent claims 2-3, 5, 7, and 9 are also not anticipated. Therefore, Applicant respectfully requests the rejection of Claims 1-3, 5, 7, and 9 under 35 U.S.C. 102(b) be withdrawn.

Claims 4, 6, 8, 10-11, 13, and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Miyazaki* in view of U.S. Patent No. 6,140,988 to *Yamada*.

As discussed in reference to the rejection of Claim 1 above, *Miyazaki* does not teach "a spacer disposed on an overlapped area between the color filter and an adjacent color filter, the spacer having a same material as the color filter" and *Yamada* does not remedy this deficiency. Instead, *Yamada* teaches a plurality of display regions separated by horizontal and vertical bars so that the color filters cannot overlap (*Yamada* col. 4 line 34 to col. 5 line 47, and FIGS. 1-4B). Further, Claims 4,6,8, 10-11, 13, and 15 depend from independent Claim 1, and Applicant respectfully submits that Claims 4,6,8, 10-11, 13, and 15 are patentably distinguished over *Miyazaki* in view of *Yamada*, in any combination, at least based upon the allowability of independent Claim 1. Therefore, Applicant respectfully requests that the rejection under 35 U.S.C. § 103(a) of Claims 4, 6, 8, 10-11, 13, and 15 be withdrawn.

Claims 12, 14, and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Miyazaki* in view of *Yamada* and further in view of U.S. Patent No 5,801,797 to *Iida et al.* (Hereinafter referred to as *Iida*).

As discussed in reference to the rejection of Claims 4, 6, 8, 10-11, 13, and 15 above, neither *Miyazaki* nor *Yamada* in any combination teach "a spacer disposed on an

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overlapped area between the color filter and an adjacent color filter, the spacer having a same material as the color filter" and *Iida* does not remedy this deficiency. Instead, *Iida* teaches an arrangement of boards separated by spacers composed of rectangular frame-like sealing members where the boards have ends that partially overlap (*Iida* col. 11 line 44 to col. 13 line 31, and FIGS. 1-2). Further, Applicant respectfully submits that *Iida* fails to teach anything about spacers being composed of the same material as color filters, and that *Iida* cannot be used to teach the presently claimed invention. Finally, Claims 12, 14, and 16 depend from independent Claim 1, and Applicant respectfully submits that Claims 12, 14, and 16 are patentably distinguished over *Miyazaki* in view of *Yamada* and further in view of *Iida* at least based upon the allowability of independent Claim 1. Therefore, Applicant respectfully requests that the rejection under 35 U.S.C. § 103(a) of Claims 12, 14, and 16 be withdrawn.

New Claim 31 recites "the spacer has a column shape, the spacer being configured to maintain a cell gap between the first substrate and the second substrate" and is supported by the specification as filed (Specification page 9 lines 19-22, corresponding to paragraph [0067], and FIG. 3). Claim 31 depends from independent Claim 1, and is believed allowable at least based on the allowability of Claim 1.

New claim 32 recites "the common electrode makes direct contact with the spacer" and is supported by the specification as filed (Specification page 13 line 24 to page 14 line 2, corresponding to paragraph [0089], and FIG. 7). Claim 31 depends from independent Claim 1, and is believed allowable at least based on the allowability of Claim 1.


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Accordingly, Applicant respectfully submits that Claims 1-16 and 31-32 are in proper form for allowance. Reconsideration and withdrawal of all rejections is respectfully requested and a timely Notice of Allowance is solicited.

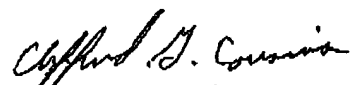
If the Examiner has any questions or concerns, a telephone call to the undersigned at (949) 752-7040 is welcomed and encouraged.

Certification of Facsimile Transmission
 I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.



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August 14, 2006
 Date of Signature

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